

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

- against -

ROLAND M. MATHYS

Defendant.

18-CV-00701-JGK

ECF CASE

**PLAINTIFF SECURITIES AND EXCHANGE COMMISSION'S APPLICATION FOR
DEFAULT JUDGMENT AGAINST DEFENDANT ROLAND M. MATHYS**

Pursuant to this Court's September 10, 2020 Order [Doc. # 61], Fed. R. Civ. P. 55(b), Local Civil Rule 55.2(b), and Section VII of this Court's Individual Practices, and based upon the Declaration of Nicholas Heinke and its exhibits, the Declaration of Michael Hoke and its exhibit, the supporting Memorandum of Law, and all the pleadings and proceedings previously before this Court, Plaintiff Securities and Exchange Commission ("SEC") respectfully applies for the entry of judgment by default against Defendant Roland M. Mathys, based on his failure to answer or otherwise respond to the SEC's Amended Complaint or this Court's Show Cause Orders [Docs. # 55, 57]:

- (a) Enjoining Defendant from committing future violations of Section 14(e) of the Securities Exchange Act of 1934 ("Exchange Act") [15 U.S.C. § 78n(e)] and Rule 14e-3 thereunder [17 C.F.R. § 240.14e-3];
- (b) Ordering Defendant to pay civil penalties pursuant to Section 21A of the Exchange Act [15 U.S.C. § 78u-1]; and

For such other relief as the Court deems just and proper.

Dated this 9th day of November, 2020.

s/ Nicholas P. Heinke

Mark L. Williams (NY Bar No. 4796611)

Nicholas P. Heinke (Colo. Bar No. 38738) (Pro Hac)

Senior Trial Counsel

Attorneys for Plaintiff

SECURITIES AND EXCHANGE COMMISSION

1961 Stout Street, 17th Floor

Denver, Colorado 80294

(303) 844-1027

WilliamsML@sec.gov

HeinkeN@sec.gov

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the USDC for the Southern District of NY by using the CM/ECF system on November 9, 2020. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

s/ Nicholas P. Heinke